

REMARKS

Claims 1-58 are in the application. Claims 1-11, 17-31, 33-38, 41-43, and 48-58 were rejected under 35 U.S.C. §102(a) as being unpatentable over Wong (US Patent 6,700,891) in view of Sheafor et al. (US Patent 6,226,242). Claims 12-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wong in view of Sheafor et al. and Jung et al. (US Patent 5,745,229). Claims 32, 39, 40, 44, and 45 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wong in view of Sheafor et al. and Fairchild et al. (US Patent 6,343,320). Claims 46 and 47 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wong in view of Sheafor et al. and Zintel (US Patent 6,779,004).

With respect to the provisional rejection of claims 1-58 under the judicially created doctrine of obviousness-type double patenting in view of claims 1-45, 47, 49-59, and 62 of co pending App. Ser. No. 09/746,519, Applicant respectfully traverses this rejection. While Applicant submits that the double patenting rejection should be withdrawn, Applicant will consider a terminal disclaimer to obviate this rejection.

Applicant respectfully traverses the rejections in view of Wong in combination with Sheafor, Jung, Fairchild, and/or Zintel. Applicant has studied the cited art carefully, and submits that certain distinguishing attributes of the present invention over the cited art may not have been fully considered by the Examiner.

With respect to independent claims 1 and 4, the Examiner identified the Sheafor reference as teaching “the use of adjusting a physical switch to change settings”, and has indicated that one would be motivated to combine the Sheafor reference with the Wong reference because “it allows for a simple and easy way to activate the filtering or blocking of packets”. The Examiner has identified a portion of the Sheafor reference that describes ‘dip switch’ location identification means:

“It should also be mentioned that the switching arrangements may be required to configure in a unique way based upon their particular location within an overall crossbar switching arrangement. That is, based upon a selected location within an overall array of possible locations, a dip switch or other such similar means may readily identify each one of the possible locations. This additional configuration feature, either alone or in combination with the mesh identification feature described immediately above, is also highly advantageous with regard to expansion of existing crossbar switching arrangements by providing the ability to

reuse existing hardware through the simple expedient of adjusting a dip switch setting or, for example, the physical wiring of a pin..” (Sheafor et al., col. 4: 54-67; emphasis added by Applicant)

As the express teachings of Sheafor make clear, Sheafor discloses a crossbar routing arrangement that can make use of ‘dip switch’ location identification means to identify one of a number of possible interconnection meshes, to allow the reuse of a particular hardware component in a particular location in the mesh arrangement (see, e.g., above, as well as the preceding paragraph at col. 4: lines 44-53). The operative environment is directed to a hardware crossbar switch (i.e., a “linearly expandable self-routing crossbar switch”).

Applicant submits that the use of ‘dip switch’ location identification in a hardware component of a crossbar routing arrangement is unrelated to the use of a physical, user-activated switch/button interface physically connected to a programmable logic device-based packet filtering system (“PLD system”), wherein in response to user activation of the switch/button interface the PLD system selectively operates to filter packets or block packet transmission. In fact, Applicant submits that there is no motivation to combine the Sheafor ‘dip switch’ location identification teaching with the Wong reference; while location identification is disclosed in Sheafor for the reuse of hardware in an expandable crossbar routing environment, it is not at all clear how or why a skilled artisan would such teachings of Sheafor relevant to a packet filtering device where an incoming packet is intercepted and a decision of whether to filter it is performed based on filtering criteria, such as is described in the Wong reference. Given the very different operative environments, even if combined it is not clear that this would result in what Applicant has claimed (see, e.g., a physical, user-activated switch/button interface . . . wherein in response to user activation of the switch/button interface the PLD system selectively operates to filter packets or block packet transmission”). Such structure and operation is disclosed in neither reference.

Applicant submits that Applicant’s claimed invention is patentably distinguishable over the cited references, and the prior art rejections should be withdrawn.

As all rejections were premised on the combination of Wong and Sheafor, Applicant submits that, for at least these reasons, all claims should be allowable.

Finally, Applicant notes that it is still reviewing whether or not Wong is in fact prior art to Applicant's invention. While Applicant does not admit that Wong is in fact prior art to Applicant's invention, and Applicant may demonstrate in the future that Applicant's invention predates Wong, Applicant has chosen herein to emphasize the clear distinction of the claimed invention over the cited combination of references.

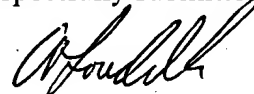
Reconsideration and allowance is requested.

Applicant requests an opportunity to discuss this case with the Examiner by way of a telephone or in-person interview. As discussed with Examiner Gold by telephone, a separate submission will be made to request the interview and the topics for discussion therein.

Please charge any additional fees due, or credit any overpayment, to Deposit Account No. 50-0251.

No new matter has been added.

Respectfully submitted,



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I hereby certify that the foregoing is being deposited with the U.S. Postal Service, postage prepaid, to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated above.

